

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

In the matter of:

Debtor

Case No. _____

Plaintiff(s)

Adversary No. _____

v.

Defendant and Third Party Plaintiff(s)

v.

Third Party Defendant(s)

THIRD PARTY SUMMONS

YOU ARE SUMMONED and required to file a motion or answer to the third-party complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Address of Clerk

At the same time, you must also serve a copy of the motion or answer upon the defendant's attorney.

Name and Address
of Defendant's Attorney

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address
of Plaintiff's Attorney

If you make a motion, your time to answer is governed by Fed.R.Bankr.P. 7012. If you are also being served with a copy of the complaint of the plaintiff you have the option of not answering the plaintiff's complaint **unless** this is an admiralty or maritime action subject to the provisions of Fed.R.Civ.P. 9(h) and 14(c), in which case you are required to file a motion or an answer to both the plaintiff's complaint and the third-party complaint, and to serve a copy of your motion or answer upon the appropriate parties.

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR
CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT
MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE THIRD-PARTY COMPLAINT.**

James J. Waldron, Clerk

Date: _____

By: _____
Deputy Clerk

MEDIATION OF ALL DISPUTES IS ENCOURAGED AND IS AVAILABLE PURSUANT TO D.N.J. LBR 9019-2. THE PRACTITIONER'S GUIDE TO THE MEDIATION PROCESS IS AVAILABLE IN THE BANKRUPTCY COURT CLERK'S OFFICE, IN EACH COURTROOM, AND ON OUR WEB SITE AT: www.njb.uscourts.gov. THE GUIDE CONTAINS AN OVERVIEW OF THE MEDIATION PROCESS, SAMPLE FORMS, THE REGISTER OF MEDIATORS AND APPLICABLE LOCAL RULES.

Rev.12/1/09